REMARKS

(1) Claims 1-19 are pending in this application. No amendment has been made in this Response.

(2) Claims 1-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oyama et al. (WO 02/29497).

(a) The Oyama reference is a prior application of Zeon Corporation, the assignee of the present application.

(b) It is considered that Compare Example 1 disclosed by Oyama et al. substantially corresponds to Comparative Example 1 described in the specification of the present invention, as explained below.

Both Example 1 in Oyama, et al. and Comparative Example 1 of the present application were prepared by the following steps:

i) A dispersion of a negative charge control resin in an organic solvent was kneaded by a roller under cooling. Then, when the negative charge control

resin was wound on the roller, a colorant was added thereto to prepare a negative charge control resin composition.

ii) Styrene, butyl acrylate, the negative charge control resin composition obtained above, a molecular weight modifier (tdodecyl mercaptan), and a parting agent (pentaerythritol tetrastearate) were stirred and mixed to prepare a polymerizable monomer composition.

iii) Separately, an aqueous dispersion of polymerizable monomer for shell was prepared by mixing methyl methacrylate and water.

iv) A colloidal dispersion of magnesium hydroxide was prepared by adding an aqueous solution of sodium hydroxide to an aqueous solution of magnesium chloride.

v) The polymerizable monomer composition obtained above was added to the colloidal dispersion of magnesium hydroxide, and the mixture was stirred until droplets were stabilized, followed by addition of a polymerization initiator (t-butyl peroxy-2-ethylhexanoate) thereto. Then, high shear stirring was performed to granulate the droplets of the polymerizable monomer composition. Subsequently, polymerization reaction was carried out at 90°C, and at the time when the percentage of the monomer converted into a polymer reached approximately 100%, the aqueous dispersion of polymerizable monomer for shell and an aqueous

solution of a polymerization initiator were added thereto for polymerization to obtain toner particles.

The steps i) to v) above are common in Example 1 disclosed by Oyama, et al. and Comparative Example 1 described in the specification of the present application. Therefore, it is considered that Compare Example 1 disclosed by Oyama et al. substantially corresponds to Comparative Example 1 described in the specification of the present invention.

(b) Therefore, Comparative Example 1 should be compared with Example 1 of the present to find that Comparative Example 1 or Oyama et al. do not meet the claimed properties recited in the instant claims. In particular, the toner of Comparative Example 1 does not meet the claimed requirements of the shear viscosity ($\eta 1$) and the shear viscosity ($\eta 2$). *See* Tables 1 and 2 in the original specification.

Furthermore, the content of a volatile component, in particular, the content of a volatile component having a volatilization temperature in a range of higher than 130°C to 180°C is 40 ppm in Example 1. On the contrary, the content in Comparative Example 1 is 260 ppm, which is much larger than that in Example 1. *See* Tables 1 and 2 in the original specification. Example 1 of Oyama, et al. or Comparative Example 1 described in the specification of the

present application is different from Example 1 of the present application in the volatile component contents.

As described above, Oyama, et al. or Comparative Example 1 described in the specification of the present application does not meet the properties recited in the instant claims. The requirements recited in the instant claims are not obvious over Oyama et al.

(3) In view of above, the instant claims are not obvious over Oyama et al. Applicant requests such action at an early date. If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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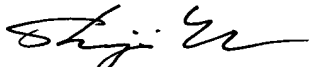

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